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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/608,028	06/30/2000	Kartik Raghavan	MSI-498US	9044
22801	7590	01/29/2004	EXAMINER	
LEE & HAYES PLLC 421 W RIVERSIDE AVENUE SUITE 500 SPOKANE, WA 99201			COLIN, CARL G	
			ART UNIT	PAPER NUMBER
			2136	
DATE MAILED: 01/29/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/608,028

Applicant(s)

RAGHAVAN ET AL.

Examiner

Carl Colin

Art Unit

2136

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 30 June 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-36 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-36 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 6/30/2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

### **DETAILED ACTION**

1. Pursuant to USC 131, claims 1-36 are presented for examination.

#### ***Specification***

2. The disclosure is objected to because of the following informalities: on page 5, line 2, reference number "10" should be --11--. Appropriate correction is required.

#### ***Drawings***

3. Figure 9 is objected to as failing to comply with 37 CFR 1.84(p)(5) because it does not include reference number (18B) in the description on page 22. Appropriate correction is required.

A proposed drawing correction, corrected drawings, or amendment to the specification to add the reference sign(s) in the description, are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

#### ***Claim Objections***

4. **Claim 18** is objected to because of the following informalities: on line 19, the word "for" is repeated. Appropriate correction is required.

- 4.1 **Claims 15 and 20** are objected to because of the following informalities: "the" storage medium should be replaced with --a-- storage medium.

4.2 **Claim 21 and the intervening claims** are objected to for lack of indentation of limitation in claim 21. See MPEP § 608.01(m). Appropriate correction is required.

***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5.1 **Claims 1-26** are rejected under 35 U.S.C. 102(e) as being anticipated by US Patent Application Publication US 2002/0055924 to **Liming**.

5.2 **As per claims 1, 11, and 12, Liming** discloses a server comprising: a storage device having stored therein a plurality of executable instructions; and a control unit, coupled to the storage device, to execute at least a subset of the plurality of executable instructions (see claims 42-46 and figure 1) to implement a method comprising receiving an identifier associated with a computing system and/or computing system user (see page 2, paragraph 0014 and claim 51); and

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automatically modifying computing system resources based, at least in part, on an assessment of the computing system resources (see page 14 paragraphs 0165 et seq. and claims 47-51).

**As per claims 13, 14, 16, 21, and 26, Liming** discloses a server comprising: a storage device to maintain a profile of resources available to authorized users (see figures 3 and 4); and a process that meets the recitation of a configuration agent, coupled to the storage device, to receive an identifier associated with a computing system and/or computing system user and automatically modify resources of the computing system based, at least in part, on an assessment of the computing system resources (see page 12 paragraph 0138; page 14 paragraphs 0165 et seq. and claims 47-51).

**As per claims 2, 18, and 25, Liming** discloses the limitation of wherein the computing system is a communications device (see page 2, paragraph 0014).

**As per claims 3, 4, 9, 10, and 19, Liming** discloses the limitation of wherein the identifier associated with a computing system and/or computing system user is received from the computing system (see page 2, paragraph 0014).

**As per claim 5, Liming** discloses the limitation of automatically modifying system resources of the communications device and the computing system resources based, at least in part, on an assessment of the computing system resources (see page 14 paragraphs 0165 et seq. and claims 47-50).

**As per claims 6 and 7, Liming** discloses the limitation of wherein automatically modifying computing system resources or communications device resources comprises: assessing communications device resources (see page 10, paragraphs 0128-0130); comparing the assessed communications device resources against authorized and available computing system resources (see claims 42-46 see pages 11-12 paragraph 0138); selectively installing, configuring and/or updating one or more communications device resources based, at least in part, on the assessed communications resources (see claims 42-46).

**As per claims 8 and 17, Liming** discloses the limitation of wherein the identifier is received from the computing system and/or a communications device associated with the computing system user (see page 2, paragraph 0014 and claim 51, the method further comprising: automatically modifying communications device resources based, at least in part, on an assessment of the communications device resources (see page 14 paragraphs 0165 et seq. and claims 47-50).

**As per claim 15, Liming** discloses the limitation of wherein the configuration agent accesses a user profile on the storage medium based, at least in part, on the identifier (see page 12 paragraph 0138; page 14 paragraphs 0165 et seq. and claims 47-51).

**As per claim 20, Liming** discloses the limitation of wherein the storage medium includes a plurality of executable instructions (see page 5, paragraphs 0059-0060), the server further

comprising: a controller, coupled to the storage medium, to execute at least a subset of the plurality of executable instructions to implement an instance of the configuration agent (see page 5, paragraphs 0059-0060 and figure 1).

**As per claim 22, Liming** discloses the limitation of wherein the configuration agent compares the assessed computing system resources against a profile of available and authorized resources associated with the received identifier (see page 12 paragraph 0138; page 14 paragraphs 0165 et seq. and claims 47-51).

**As per claim 23, Liming** discloses the limitation of wherein the configuration agent interrogates the computing system upon receipt of the identifier to assess computing system resources (see page 12 paragraph 0138; page 14 paragraphs 0165 et seq. and claims 47-51).

**As per claim 24, Liming** discloses the limitation of wherein the configuration agent downloads and automatically installs system resources on the computing system based, at least in part, on the assessed computing system resources (see claims 42-46).

#### ***Claim Rejections - 35 USC § 102***

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an

international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

6.1 **Claims 32-36** are rejected under 35 U.S.C. 102(e) as being anticipated by US Patent 5,838,907 to **Hansen**.

6.2 **As per claims 32 and 34 Hansen** discloses a method comprising: issuing a configuration request from a computing system, wherein the configuration request includes an identifier associated with the computing system and/or computing system user (see column 3, lines 15-61); and receiving a response to the configuration request at the computing system, the response including one or more computing system resources, wherein the one or more computing system resources are automatically installed and configured on the computing system (see column 3, lines 15-61 see also column 2, lines 50-67).

**As per claim 33, Hansen** discloses the limitation of wherein the one or more computing system resources are automatically installed and configured in response to installation and



configuration commands received from a remote computing system (see column 3, lines 15-61 see also column 2, lines 50-67).

**As per claim 35, Hansen** discloses the limitation of wherein the one or more system resources enable the communications device to communicate over an additional communications medium (see column 5, lines 5-21 and column 6, lines 12-27; see also column 2, lines 63-67).

**As per claim 36, Hansen** discloses the limitation of wherein the configuration request is issued from a communications device associated with the computing system user (see column 2, line 57 through column 3, line 15), the method further comprising: receiving a response to the configuration request at the communications device including one or more computing system resources, wherein the one or more computing system resources are automatically installed and configured on the computing system (see column 3, lines 15-61 see also column 2, lines 50-67).

### ***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to

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which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7.1 **Claims 27-31** are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent by US Patent Application Publication US 2002/0055924 to **Liming** in view of US Patent 5,838,907 to **Hansen**.

7.2 **As per claim 27, Liming** substantially teaches a storage device having stored thereon plurality of executable instructions, a network interface, communicatively coupling the computing system to a network (see figure 1); and a processor (see figure 1) that meets the recitation of a controller. **Liming** further discloses automated configuration during boot up and issuing a configuration request including identifier associated with the computing system (see page 4, paragraphs 0052-00557 see also claims 47-51). **Liming** does not explicitly teach a controller, coupled to the storage device and the network interface, to execute at least a subset of the plurality of executable instructions to implement a basic input/output system (BIOS) to issue a configuration request including identifier associated with the computing system to the network via the network interface (see column 6, lines 28-46 and column 15, line 55 through column 16, line 43). However, **Hansen** in an analogous art teaches a “bootp/TFTP manager” coupled to the storage device and the network interface, to execute at least a subset of the plurality of executable instructions to implement a basic input/output system (BIOS) to issue a configuration request. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the method of **Liming** to provide a controller, coupled to the

storage device and the network interface, to execute at least a subset of the plurality of executable instructions to implement a basic input/output system (BIOS) to issue a configuration request to the network via the network interface as taught by **Hansen** in order to configure any number of remotely located devices included in the network (see column 6, lines 25-27). This modification would have been obvious because one skilled in the art would have been motivated by the suggestions provided by **Hansen** so as to configure any number of remotely located devices included in the network.

**As per claim 28, Hansen** discloses the limitation of wherein the computing system is an unconfigured computing system (see column 15, line 55 through column 16, line 43).

**As per claim 29, Hansen** discloses the limitation wherein the controller receives one or more commands to receive and install computing system resources from network devices via the network interface in response to the configuration request (see column 2, lines 57-67 and column 3, lines 25-40).

**As per claim 30, Liming** discloses the limitation of wherein the identifier associated with a computing system and/or computing system user is received from the computing system (see page 2, paragraph 0014).

**As per claim 31, Liming** discloses the limitation of wherein the computing system is a communications device (see page 2, paragraph 0014).

***Conclusion***

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure as the art discloses the use of identification and automatic configuration of devices.

US Patents: 5,870,610                      Beyda  
                  5,974,474                      Furner et al.

8.1 Any inquiry concerning this communication or earlier communications from the examiner should be directed to Carl Colin whose telephone number is 703-305-0355. The examiner can normally be reached on Monday through Thursday, 8:00-6:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on 703-305-9648. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

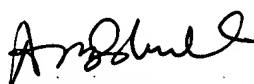
Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

cc

Carl Colin

Patent Examiner

January 23, 2004

  
AYAZ SHEIKH  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100